

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Dailey Law Firm PC,

Debtor.

Case No. 23-45970-MLO

Chapter 7

Hon. Maria L. Oxholm

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**ORDER FINDING BRIAN DAILEY IN CONTEMPT,  
COMPELLING PRODUCTION OF PASSWORDS AND  
OTHER ACCESS INFORMATION, AND ASSESSING COSTS**

Chapter 7 Trustee Mark H. Shapiro filed a Motion for Order Finding Brian Dailey in Contempt, Compelling Production of Passwords and Other Access Information, and Assessing Costs (“Motion”). Brian Dailey, Nathan Resnick, Esq., and David Soussan were served with the Motion and a 14-day notice of the Motion, and no objections were timely filed. After consideration of the Motion, the Court finds:

A. On October 31, 2023, this Court entered an Order Designating Brian Dailey as the Person Responsible for Discharging the Debtor’s Duties and Compelling Production of Information (“Production Order”).

B. On October 31, 2023, Trustee’s counsel served the Production Order on Brian Dailey and H. Nathan Resnick, Esq.

C. Brian Dailey has failed to comply with the Production Order.

IT IS ORDERED as follows:

1. Brian Dailey is declared in civil contempt of court for failing to comply with the Production Order.

2. Costs are assessed against Brian Dailey and the Debtor's counsel, H. Nathan Resnick, Esq., jointly and severally, for reasonable attorney fees and expenses incurred by Trustee's counsel because of Brian Dailey's failure to comply with the Production Order. The amount of the attorney fees and expenses will be determined by further order of this Court, using the same procedures as those described by L.B.R. 7054-1 (E.D. Mich.).

3. Brian Dailey may purge himself of the contempt by complying with the Production Order within seven days after entry of this Order. For clarity, that includes providing the Trustee with the information described in the Production Order if such information is in the possession, custody, or control of Brian Dailey.

4. The Trustee is entitled to the information contained in the Debtor's computers, server, software programs, website, financial accounts, and social media sites.

5. Within five days after entry of this Order, David Soussan of DAS Computer Consultants, LTD, must provide the Trustee with the password(s) to access the Debtor's server as well as all passwords, usernames, logins, PIN numbers, and other information that may access the Debtor's computers, server, software programs, website, financial accounts, and social media sites.

6. If Brian Dailey fails to fully purge himself of the contempt by complying with the provisions of paragraph 3 of this order, the Trustee need only file a Declaration of Non-Compliance and the Court will immediately schedule a hearing to consider additional sanctions, incarceration, and other remedies to compel compliance.

**Signed on December 8, 2023**



**/s/ Maria L. Oxholm**

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**Maria L. Oxholm**  
**United States Bankruptcy Judge**